ACT Government
City and Environment

ENVIRONMENTAL SIGNIFICANCE OPINION - Stromlo Block 403 Bushfire Management Trails (ESO 202500032)

In accordance with section 140 (4) of the *Planning Act 2023* (the Act), I provide the following environmental significance opinion:

APPLICANT

PLANIT Strategic Pty Ltd, as represented by Mrs Hope Watson, Senior Environmental and Town Planner.

APPLICATION and DEVELOPMENT PROPOSAL

The applicant has applied under section 140 (4) of the Act to the Conservator of Flora and Fauna for an environmental significance opinion to the effect that the development proposal set out in the submission is not likely to have a significant adverse environmental impact (the application).

The development proposal is for maintenance and construction of bushfire management trails within Block 403 Stromlo as described in the submission.

LOCATION

Works are located in Block 403 Stromlo district within Molonglo River Reserve.

MATTERS TO WHICH THIS OPINION APPLIES

This opinion applies only to the development proposal as described in the application.

OPINION

Provided the works are undertaken in a manner consistent with the following conditions in addition to the mitigation measures contained in the supporting application for an ESO, they are unlikely to cause a significant adverse environmental impact.

This opinion is granted subject to the following conditions made under s140 (4)(b) of the Act:

General

1. Conditions of approval including mitigation measures as stated in the application.

2. Access to the site must be granted to Conservation Officers if a random compliance inspection is requested by the Conservator of Flora and Fauna (the Conservator).

3. Works must avoid and mitigate impacts (mineral earth, significant vegetation clearing) to Matters of National Environmental Significance (MNES), consistent with ACT Government commitments to infrastructure design in the *Molonglo Valley Plan for the Protection of Matters of National Environmental Significance* (NES Plan).

4. The works must be delivered under the principal supervision of ACT Parks and Conservation Services (PCS), by suitably qualified agency staff, or PCS appointed/managed sub-contractors/machinery operators; with demonstrated relevant experience working in protected areas; to the satisfaction of PCS and the Conservator.

5. PCS will be required to always be on site during trail works to minimise disturbance to the greatest extent practicable unless otherwise agreed.

6. Minimise ground disturbance using the smallest machine possible.

7. Develop a Construction Environmental Management Plan (CEMP) in accordance with the requirements of the NES Plan to be endorsed by the Conservator's Office prior to commencement of works.

New Tanker and Light Unit trails

8. Trails are to follow the final micro alignments as marked out by PCS (see Figure 1).

    a) Trails are to be established to Light unit standard (3m wide grass/natural surface with woody vegetation maintained up to 2m either side) on the alignments shown in orange dotted lines.

b) Trails are to be established to Tanker standard (4m wide grass/natural surface with woody vegetation maintained up to 2m either side) on the alignments shown in black lines.

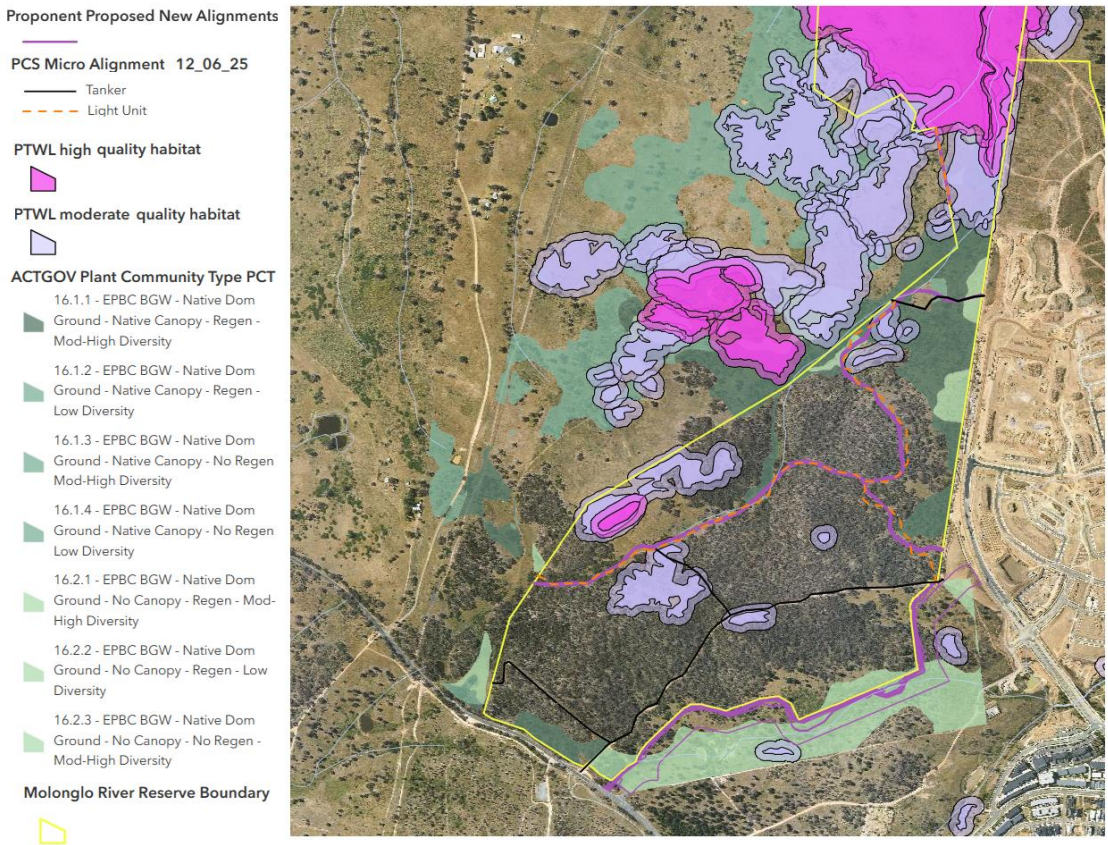

Figure 1. Alignment of fire trails constructed or maintained as part of this ESO approval (purple lines show the proponent's submitted alignment, orange dotted lines show PCS micro alignment in Light unit standard and black lines show Tanker standard)

9. All trees identified for removal are to be flagged and agreed on site with PCS prior to works commencing.

10. Undertake replacement plantings for box-gum woodland species removed for vegetation management. Replacement plantings are to occur within the Molonglo River Reserve to the satisfaction of PCS and the Conservator.

Diameter at Breast Height (DBH) class (cm)	REPLACEMENT RATIOS
<5	1:1
5 - 20	1:3 + relocate as native mulch or at Conservator discretion
21 - 30	1:8 + relocate as coarse woody habitat
31 - 40	1:13 + relocate as coarse woody habitat

11. No mineral earth trails are to be constructed within threatened Pink-tailed Worm-lizard (PTWL) habitat buffers. Grassy, natural surface light unit alignments (3m) are required along any containment line that crosses through PTWL buffers. Slashing of vegetation and minor infill of depressions using rock is permitted.

12. All disturbed areas are to be reseeded with native understory species to the satisfaction of PCS.

13. Retain coarse woody debris <20 cm DBH to the side of the alignment (not on PTWL habitat).

14. The *Nature Conservation (Protection of Burrowing Animals During Development) Conservator Guidelines 2025* is to be applied where works may impact on relevant fauna.

15. A Nature Conservation License to interfere with the nest of a native animal must be obtained prior to damaging any nests (including animal burrows).

16. Minimal import of material is permitted - only for agreed depressions/boggy areas; to achieve crossfall requirements where site material is agreed to be inadequate; and for backfilling wombat burrows where approved.

17. Any material imported is to be certified Virgin Excavated Natural Material (VENM) from approved suppliers to the satisfaction of PCS.

Temporary hand crew containment lines

18. The exact alignments of the temporary containment lines will be determined on site prior to prescribed burns with government ecologists and fire officers to determine the lowest impact alignment (avoiding rare plants and

threatened communities) that allows effective compartmentalisation and safe operational delivery of the burn objectives.

19. Direct ground disturbance is to be avoided in orchid core habitat.

20. Vegetation removal must be limited to trees and shrubs <20cm DBH that cannot otherwise be avoided to deliver a safe fuel reduction outcome.

21. Any organic material generated in establishing these containment lines must be placed to the non-burn side, and then be relocated back onto the disturbed alignment post-burn to minimise ongoing disturbance and erosion from storm events and members of the public, especially on slopes above 5 degrees.

Maintenance of existing fire trails

22. Existing trails will be maintained by slashing where possible, but grading is permitted where necessary.

Erosion and sediment control

23. Appropriate erosion and sediment control measures, in accordance with the *2022 ACT EPA Guidelines for Construction and Land Development*, will be required for this project, including:

    a) Installation of sediment fence on the low side of any intrusive works.

    b) Provision of a washdown area at the stabilised site access / exit.

    c) Have the construction contractor undertake an appropriate inspection regime and provide checklists to ensure erosion control measures are in place and working.

Attached is a Statement of Reasons for the decision.

Bren Burkevics
Conservator of Flora and Fauna

22 July 2025

STATEMENT OF REASONS
REASONS FOR THE DECISION

The proposed development is a proposal mentioned in Schedule 1 of the *Planning (General) Regulation 2023* – requiring environmental impact statement, being:

Part 1.2, item 16 - proposal that is likely to have a significant adverse environmental impact on 1 or more of the following:

(a) a critically endangered species;
(b) an endangered species;
(c) a vulnerable species;
(d) a conservation dependent species;
(e) a regionally threatened species;
(f) a regionally conservation dependent species;
(g) a provisionally listed threatened species;
(h) a listed migratory species;
(i) a threatened ecological community;
(j) a protected native species;
(k) a Ramsar wetland;
(l) any other protected matter

Block 403 contains patches of '*White Box – Yellow Box – Blakely's Red Gum Grassy Woodland and Derived Native Grassland*', a critically endangered ecological community listed under the Commonwealth *Environment Protection and Biodiversity Conservation Act 1999* (EPBC Act), and listed as '*Yellow Box-Blakely's Red Gum Grassy Woodland*' under the ACT's *Nature Conservation Act 2014* (NC Act).

Nearly 500 species, with at least 8 species listed under the NC Act, have been recorded within Block 403, including:

- Gang-gang Cockatoo (*Callocephalon fimbriatum*)
- Hoary Sunray (*Leucochrysum albicans subsp. tricolor*)
- Pink-tailed Worm-lizard (*Aprasia parapulchella*)
- Varied Sittella (*Daphoenositta chrysoptera*)
- White-throated Needletail (*Hirundapus caudacutus*)
- Scarlet Robin (*Petroica boodang*)
- Superb Parrot (*Polytelis swainsonii*)
- Diamond Firetail (*Stagonopleura guttata*)

Many orchid species have been recorded within Block 403. All orchid species are protected under the NC Act.

The proposed works will result in the following impacts to threatened species:

- Clearance of 0.24 ha of EPBC Act / NC Act Box-Gum Woodland;
- Clearance of individuals from at least three flora species listed as protected under the NC Act (i.e. *Zornia* and two species of common orchid);
- Clearance of 33m^2 of moderate quality potential Pink-tailed Worm-lizard (PTWL) habitat, and 34m^2 of potential habitat under tree canopy;
- Clearance of 0.22 ha of the 20m buffer zone surrounding moderate quality potential PTWL habitat; and
- Minor clearance of potential foraging and/or breeding habitat for fauna species listed as threatened pursuant to the EPBC Act and/or NC Act, including ten threatened woodland bird species.

Part 1.2, item 17 – proposal involving -

(a) the clearing of more than 0.5ha of native vegetation in a native vegetation area, other than on land in a future urban area; or

(b) the clearing of more than 5.0ha of native vegetation in a native vegetation area on land in a future urban area

The proposal will clear 1.45ha of native vegetation.

Part 1.2, item 18 - proposal for development in a reserve, unless the proposal is for minor public works to be carried out by or for the Territory in accordance with a minor public works code approved by the conservator of flora and fauna under the Nature Conservation Act 2014*, section 318A;*

The proposed works are within the Molonglo River Reserve.

Part 1.2, item 25 - proposal that is likely to result in a key threatening process under the Nature Conservation Act 2014

The proposed works will result in the removal of five remnant native trees >20cm DBH, including three trees >50cm DBH, and may result in the key threatening process of Loss of mature native trees and lack of recruitment.

The proponent is seeking an environmental significance opinion to remove the requirement for an environmental impact statement on the grounds that the proposal is not likely to have a significant adverse environmental impact, and has applied to the Conservator of Flora and Fauna for an opinion to that effect.

Meaning of *significant* adverse environmental impact

An adverse environmental impact is ***significant*** if—

(a) the environmental function, system, value or entity that might be adversely impacted by a proposed development is significant; or
(b) the cumulative or incremental effect of a proposed development might contribute to a substantial adverse impact on an environmental function, system, value or entity.

In deciding whether an adverse environmental impact is ***significant***, the following matters must be taken into account:

(a) the kind, size, frequency, intensity, scope and length of time of the impact;
(b) the sensitivity, resilience and rarity of the environmental function, system, value or entity likely to be affected.

In deciding whether a development proposal is likely to have a significant adverse environmental impact it does not matter whether the adverse environmental impact is likely to occur on the site of the development or elsewhere.

It has been determined that the proposal is unlikely to have a significant environmental impact, based on the documentation submitted, known values of the site, and provided the works and ongoing management are carried out in accordance with the conditions attached to this ESO.

Project description

The district of Stromlo comprises rural blocks on the periphery of the urban area to the west of Molonglo Valley. The site is located on the northeastern edge of Stromlo district within part of Block 403. The block is bordered by the suburb of Denman Prospect to the east and southeast, Uriarra Road and Stromlo Forest Park to the south, rural lands to the west, and Molonglo River Reserve to the north. The proposed trails are located within the southern part of Block 403, which is colloquially known as 'Bluett's Block' by the local community. As of February 2025, Block 403 is gazetted as Nature Reserve, and is managed by ACT Parks and Conservation Service (PCS) as part of the Molonglo River Reserve.

This area was assessed as part of the Strategic Assessment of the *Molonglo Valley Plan for the Protection of Matters of National Environmental Significance* (NES Plan) and is required to be managed for bushfire risk as a Strategic Fire Advantage Zone (SFAZ). In 2017, an exemption from the requirement to prepare an Environmental Impact Statement (EIS) under Section 211 (s211) of the superseded *Planning and Development Act 2007* was obtained. The exemption provided approval for Block 403 to be established as a SFAZ, and for maintaining existing fire trails. The creation of new fire trails in Block 403, was not included in the s211 exemption, resulting in the requirement for this ESO.

The proposal is for maintenance and construction of bushfire management trails in Block 403 in accordance with the *ACT Bushfire Management Standards 2023*. The trails will provide access to fire trucks and emergency service vehicles, as well as to the public for recreational use.

An important point of note is that the design submitted by the proponent represents a maximum impact scenario by applying a Tanker standard trail network throughout the block. As the undertaker for the works, PCS has advised that trails predominantly constructed to Light unit standard (with some Tanker access) will be sufficient to achieve the required bushfire management outcomes, while having a significantly reduced impact than as described in the ESO application. This reduced approach was agreed to with the proponent, but in the interest of time, the ESO was lodged using Tanker standard as the maximum impact scenario.

The proposed works as described in the ESO application include:

- Maintenance of 0.7km of existing fire trails;
    - Grading to level and smoothing the existing disturbed mineral earth tracks.
- Construction of 2.3km of new fire trails to Tanker standard; and
    - Creation of a minimum 8m wide impact area, including a 4m wide mineral earth fire trail, and an earthworks/vegetation management zone 2m either side of the trail.
    - All existing vegetation to be cleared along the 4m fire trail carriageway, followed by excavation and filling of a trail bench to create compliant crossfall gradients.
- Construction of 1.1km of temporary hand crew containment lines.
    - Containment lines will be up to 1m wide and be defined by above ground vegetation removal such as removal of tree branches and grass slashing to create a clear path.
    - These containment lines will be rehabilitated once the hazard reduction burn is complete.

The proposed works, as described in the ESO application, would result in the following ecological impacts:

- Clearance of 0.24 ha of EPBC Act / NC Act Box-Gum Woodland;
- Clearance of 1.45 ha of NC Act native vegetation;
- Removal of five remnant native trees >20cm DBH, including three trees >50cm DBH and one hollow-bearing tree;
- Clearance of individuals from at least three flora species listed as protected under the NC Act (i.e. *Zornia* and two species of common orchid);
- Clearance of 33m^2 of moderate quality habitat of the threatened Pink-tailed Worm-lizard (PTWL), and 34m^2 of potential habitat under tree canopy;

- Clearance of 0.22 ha of the 20m buffer zone surrounding moderate quality PTWL habitat;
- Minor clearance of potential foraging and/or breeding habitat for fauna species listed as threatened pursuant to the EPBC Act and/or NC Act, including ten threatened woodland bird species;
- Removal of three common wombat burrows and three termite mounds; and
- Potential impacts to fauna connectivity values and increase in habitat fragmentation during and following construction due to the introduction of mineral earth or gravel road surfaces, retaining walls and modified terrain.

In comparison, the reduced approach taken by PCS will involve:

- Micro-aligned trails that avoid and minimise woody vegetation removal.
- Formation of trails through vegetation slashing with minor removal of juvenile trees/shrubs. Rocks will be imported to harden low points/boggy areas for access.
- Temporary hand crew containment lines will be achieved through pre-burn works using a combination of techniques depending on the soil, vegetation and width required. These will involve the use of blowers in the first instance, and could also include brush cutters, whipper snippers, rake hoes, and selective use of hand and chain saws where required to remove trees and shrubs <20cm DBH, that cannot otherwise be avoided to deliver a safe fuel reduction outcome.
- Benching may be required in select locations to establish grades suitable for light unit access.

The reduced approach taken by PCS will have significantly reduced impacts:

- No clearance of EPBC Act / NC Act Box-Gum Woodland;
- Clearance of <0.5ha of NC Act native vegetation;
- All native shrubs and trees removed will be <20 cm DBH unless otherwise inspected and approved by a Conservation Officer;
- No clearance of vegetation in PTWL habitat;
- Minor clearance of individuals of common orchid species;
- <0.1ha of new mineral earth trail will be required to establish the alignments;
- Removal of up to three common wombat burrows and three termite mounds;
- Minor clearance of potential foraging and/or breeding habitat for fauna species listed as threatened pursuant to the EPBC Act and/or NC Act, including ten threatened woodland bird species; and
- Potential impacts to fauna connectivity values and increase in habitat fragmentation during and following construction due to the introduction of mineral earth or gravel road surfaces, retaining walls and modified terrain.

The existing vehicle track running along the southern and western border of Block 403 will be the primary access point during construction. A Construction

Environmental Management Plan (CEMP) will be developed to detail site preparation and management works.

Documentation Submitted

- Ecological Impact Assessment (23 May 2025);
- Explanatory note regarding supporting documentation for the application for an Environmental Significance Opinion;
- Unexploded Ordnance (UXO) Chance Finds Protocol;
- Preliminary Site Investigation;
- Plans and design drawings;
- Letter(s) of Authorisation
- Form 1M.

Natural conservation values present

Block 403 forms part of an important landscape corridor from the Murrumbidgee River Nature Reserve, Kama Nature Reserve, the Pinnacle Nature Reserve and Stoney Creek Reserve. The area exhibits a high diversity and abundance of orchids, especially when compared to nearby reserves.

The site has been modified by its current and past land uses, including livestock grazing, clearing / thinning, pine plantations, and bushfire. Owing to minimal management for the past 30 years, the vegetation in the study area is overall in high condition, supporting a mosaic of remnant and regenerating middle and upper stratum vegetation. Most of the area is characterised by dry sclerophyll forest, dominated by Red Stringybark (*Eucalyptus macrorhyncha)* and Scribbly Gum (*E. rossii),* with a diverse shrubby and grassy understorey.

The area supports a significant number of mature remnant trees and an abundance of hollow-bearing trees, many of which are dead stags that were burnt in the 2003 bushfires.

Potentially Significant Environmental Impacts

As discussed above, the design submitted by the proponent for this ESO assessment represents a maximum impact scenario by applying a Tanker standard trail network throughout the block. The works undertaken by PCS, which will entail creating Light Unit trail standard trails, involves a slashed trail with minor removal of juvenile trees/shrubs and rock import to harden low points/boggy areas. This approach has a significantly reduced impact and is not expected to impose significant environmental impacts.

Conditions have been included to ensure that works will have minimum impact while achieving the required bushfire management outcomes.

This opinion is granted subject to the following conditions made under s140 (4)(b) of the Act:

General

1. Conditions of approval including mitigation measures as stated in the application.

2. Access to the site must be granted to Conservation Officers if a random compliance inspection is requested by the Conservator of Flora and Fauna (the Conservator).

3. Works must avoid and mitigate impacts (mineral earth, significant vegetation clearing) to Matters of National Environmental Significance (MNES), consistent with ACT Government commitments to infrastructure design in the *Molonglo Valley Plan for the Protection of Matters of National Environmental Significance* (NES Plan).

4. The works must be delivered under the principal supervision of ACT Parks and Conservation Services (PCS), by suitably qualified agency staff, or PCS appointed/managed sub-contractors/machinery operators; with demonstrated relevant experience working in protected areas; to the satisfaction of PCS and the Conservator.

5. PCS will be required to always be on site during trail works to minimise disturbance to the greatest extent practicable unless otherwise agreed.

6. Minimise ground disturbance using the smallest machine possible.

7. Develop a Construction Environmental Management Plan (CEMP) in accordance with the requirements of the NES Plan to be endorsed by the Conservator's Office prior to commencement of works.

New Tanker and Light Unit trails

8. Trails are to follow the final micro alignments as marked out by PCS (see Figure 1).

    a) Trails are to be established to Light unit standard (3m wide grass/natural surface with woody vegetation maintained up to 2m either side) on the alignments shown in orange dotted lines.

b) Trails are to be established to Tanker standard (4m wide grass/natural surface with woody vegetation maintained up to 2m either side) on the alignments shown in black lines.

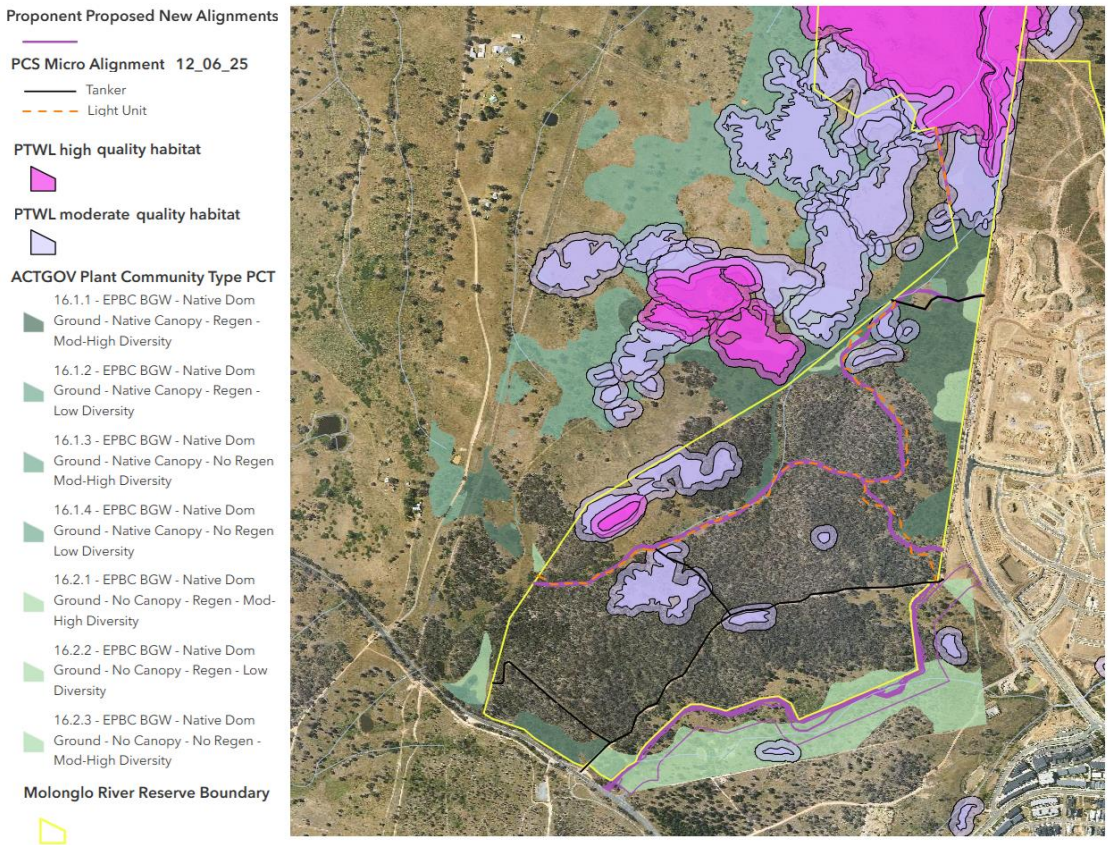

Figure 1. Alignment of fire trails constructed or maintained as part of this ESO approval (purple lines show the proponent's submitted alignment, orange dotted lines show PCS micro alignment in Light unit standard and black lines show Tanker standard)

9. All trees identified for removal are to be flagged and agreed on site with PCS prior to works commencing.

10. Undertake replacement plantings for box-gum woodland species removed for vegetation management. Replacement plantings are to occur within the Molonglo River Reserve to the satisfaction of PCS and the Conservator.

Diameter at Breast Height (DBH) class (cm)	REPLACEMENT RATIOS
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12. All disturbed areas are to be reseeded with native understory species to the satisfaction of PCS.

13. Retain coarse woody debris <20 cm DBH to the side of the alignment (not on PTWL habitat).

14. The *Nature Conservation (Protection of Burrowing Animals During Development) Conservator Guidelines 2025* is to be applied where works may impact on relevant fauna.

15. A Nature Conservation License to interfere with the nest of a native animal must be obtained prior to damaging any nests (including animal burrows).

16. Minimal import of material is permitted - only for agreed depressions/boggy areas; to achieve crossfall requirements where site material is agreed to be inadequate; and for backfilling wombat burrows where approved.

17. Any material imported is to be certified Virgin Excavated Natural Material (VENM) from approved suppliers to the satisfaction of PCS.

Temporary hand crew containment lines

18. The exact alignments of the temporary containment lines will be determined on site prior to prescribed burns with government ecologists and fire officers to determine the lowest impact alignment (avoiding rare plants and

threatened communities) that allows effective compartmentalisation and safe operational delivery of the burn objectives.

19. Direct ground disturbance is to be avoided in orchid core habitat.

20. Vegetation removal must be limited to trees and shrubs <20cm DBH that cannot otherwise be avoided to deliver a safe fuel reduction outcome.

21. Any organic material generated in establishing these containment lines must be placed to the non-burn side, and then be relocated back onto the disturbed alignment post-burn to minimise ongoing disturbance and erosion from storm events and members of the public, especially on slopes above 5 degrees.

Maintenance of existing fire trails

22. Existing trails will be maintained by slashing where possible, but grading is permitted where necessary.

Erosion and sediment control

23. Appropriate erosion and sediment control measures, in accordance with the *2022 ACT EPA Guidelines for Construction and Land Development*, will be required for this project, including:

    a) Installation of sediment fence on the low side of any intrusive works.

    b) Provision of a washdown area at the stabilised site access / exit.

    c) Have the construction contractor undertake an appropriate inspection regime and provide checklists to ensure erosion control measures are in place and working.

It has been determined that if the works are undertaken in a manner consistent with the above conditions attached to the ESO in addition to the mitigation measures contained in the supporting application for an ESO, they are unlikely to cause a significant adverse environmental impact.